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GUARDIAN PROTECTION PRODUCTS, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GUARDIAN PROTECTION PRODUCTS, INC., a Delaware corporation,	)	CASE NO. 1:20-CV-01680-SKO
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER TO</b>
	)	<b>MODIFY SCHEDULING ORDER;</b>
vs.	)	<b>DECLARATION OF AARON P. RUDIN</b>
	)	<b>IN SUPPORT</b>
G.P.P., INC. d/b/a GUARDIAN INNOVATIVE SOLUTIONS, a Pennsylvania corporation,	)	(Doc. 44)
	)	Complaint filed November 24, 2020
Defendant.	)	Counterclaim filed February 22, 2021
	)	Trial: July 11, 2023
	)	Pre-Trial Conference: May 24, 2023
<hr/>		
G.P.P., INC. d/b/a GUARDIAN INNOVATIVE SOLUTIONS, a Pennsylvania corporation,	)	
	)	
Counterclaimant,	)	
	)	
vs.	)	
	)	
GUARDIAN PROTECTION PRODUCTS, INC., a Delaware corporation,	)	
	)	
Counter-defendant.	)	
	)	

Pursuant to the Court's modified Scheduling Order [Dkt. No. 41], Order to Modify Scheduling Order [Dkt. No. 43] and L.R. 143, Plaintiff/Counter-Defendant Guardian Protection Products, Inc. ("Guardian") and Defendant/Counterclaimant G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS") hereby submit the following stipulation and proposed order to

further modify the Scheduling Order.

WHEREAS, on April 16, 2021, this Court issued a Scheduling Order [Dkt. No. 30] in this matter;

WHEREAS, on October 15, 2021 the parties submitted a Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 40] and the Court modified the Scheduling Order [Dkt. No. 41].

WHEREAS, on February 3, 2022, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 41], and the Court modified the Scheduling Order setting the following dates:

Non-Expert Discovery: September 23, 2022

Expert Disclosures: October 25, 2022

Rebuttal Expert Disclosures: November 28, 2022

Expert Discovery: December 28, 2022

Non-Dispositive Motion Filing: December 28, 2022

Non-Dispositive Motion Hearing: January 25, 2023

Dispositive Motion Filing: February 1, 2023

Pretrial Conference: May 24, 2023

Trial: July 11, 2023

WHEREAS, following a week-long trial, on December 13, 2021, this Court issued a final judgment [Dkt. No. 499] in the related case entitled *G.P.P., Inc. d/b/a Guardian Innovative Solutions v. Guardian Protections Products, Inc., et al.*, Case No. 1:15-cv-00321-SKO;

WHEREAS, on April 15, 2022, GIS filed a Notice of Appeal in the related matter [Dkt. No. 513];

WHEREAS, on April 22, 2022, Guardian filed a Notice of Appeal in the related matter [Dkt. No. 516];

WHEREAS, June 7, 2022 the Ninth Circuit Court of Appeal issued an Order setting a briefing schedule for the Appeal in the related matter with GIS's first cross-appeal brief currently due August 12, 2022, Guardian's second cross-appeal brief currently due September 12, 2022,

GIS's third cross-appeal brief is due October 12, 2022 and Guardian's option reply brief on cross-appeal is due twenty-one days thereafter.

WHEREAS, in light of the current and foreseeable appellate activity in the related matter, the parties believe that an additional six (6) month extension on the above deadlines is reasonable and necessary to avoid a potential waste of judicial resources and those of the parties and promote efficiency and economy for the court and the parties;

WHEREAS, absent an extension, the parties would be required to complete discovery, along with potential non-dispositive and dispositive motions, in this matter at the same time they are engaged in a pending appeal in the related matter the outcome of which could potentially impact these proceedings, which would result in duplication of effort and unduly and unnecessarily strain the resources of both parties and their counsel.

ACCORDINGLY, IT IS HEREBY STIPULATED and REQUESTED by the parties that the Scheduling Order [Doc. 43] be further modified as follows:

Non-Expert Discovery: March 20, 2023

Expert Disclosures: April 24, 2023

Rebuttal Expert Disclosures: May 24, 2023

Expert Discovery: June 28, 2023

Non-Dispositive Motion Filing: June 28, 2023

Non-Dispositive Motion Hearing: July 26, 2023

Dispositive Motion Filing: August 2, 2023

Pretrial Conference: November 15, 2023

Trial: January 22, 2024

IT IS SO STIPULATED.

Dated: August 4, 2022

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Aaron P. Rudin

Calvin E. Davis

Aaron P. Rudin

Michael J. Wright

Attorneys for Plaintiff and Counter-

Defendant GUARDIAN PROTECTION  
PRODUCTS, INC.

Dated: August 4, 2022

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ Dylan J. Liddiard  
Dylan J. Liddiard  
Attorneys for Defendant and Counter-  
Claimant G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS  
(as authorized on August 2, 2022)

**ORDER**

Pursuant to the parties' above stipulation (Doc. 44), and for good cause shown, IT IS  
HEREBY ORDERED that the Scheduling Order (Doc. 43) is modified as follows:

Event	Prior Date	Continued Date
Non-Expert Discovery	September 23, 2022	March 20, 2023
Expert Disclosures	October 25, 2022	April 24, 2023
Rebuttal Expert Disclosures	November 28, 2022	May 24, 2023
Expert Discovery	December 28, 2022	June 28, 2023
Non-Dispositive Motion Filing	December 28, 2022	June 28, 2023
Non-Dispositive Motion Hearing	January 25, 2023	August 2, 2023 <sup>1</sup>
Dispositive Motion Filing	February 1, 2023	August 2, 2023
Pretrial Conference	May 24, 2023	November 15, 2023, at 2:30 p.m.
Trial	July 11, 2023	January 23, 2024 <sup>2</sup>

IT IS SO ORDERED.

Dated: August 4, 2022

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Pursuant to Local Rule 230, as amended on March 1, 2022, civil motions are to be heard not less than thirty-five (35) days after service and filing of the motion. See E.D. Cal. L.R. 230(b).

<sup>2</sup> Magistrate Judge Sheila K. Oberto generally schedules trials to begin on Tuesdays.